

H.R. 1384. An act to amend title 38, United States Code, to exempt certain full-time health-care professionals of the Department of Veterans Affairs from restrictions on remunerated outside professional activities; to the Committee on Veterans' Affairs.

H.R. 1536. An act to amend title 38, United States Code, to extend for 2 years an expiring authority of the Secretary of Veterans Affairs with respect to determination of locality salaries for certain nurse anesthetist positions in the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 2394. An act to increase, effective as of December 1, 1995, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans; to the Committee on Veterans' Affairs.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1475. A communication from the Secretary of Agriculture, transmitting, the report on programs, policies, and initiatives which facilitate fathers' involvement in their children's lives; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1476. A communication from the Under Secretary of Defense, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 93-08; to the Committee on Appropriations.

EC-1477. A communication from the Under Secretary of Defense, transmitting, pursuant to law, the report of a violation of the Antideficiency Act, case number 92-14; to the Committee on Appropriations.

EC-1478. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, a description of the property to be transferred to the Republic of Panama in accordance with the Panama Canal Treaty of 1977 and its related agreements; to the Committee on Armed Services.

EC-1479. A communication from the Secretary of Housing and Urban Development, transmitting, the report summary entitled, "Putting the Pieces Together: Controlling Lead Hazards in the Nation's Housing"; to the Committee on Banking, Housing, and Urban Affairs.

EC-1480. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, a statement regarding transactions involving exports to Kuwait; to the Committee on Banking, Housing, and Urban Affairs.

EC-1481. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, a statement with respect to a transaction involving the combined-cycle power generation facility in Mexico; to the Committee on Banking, Housing and Urban Affairs.

EC-1482. A communication from the President and Chairman of the Export-Import Bank, transmitting, pursuant to law, a statement regarding transactions involving exports to Pakistan; to the Committee on Banking, Housing, and Urban Affairs.

EC-1483. A communication from the Chairman of Federal Finance Board, transmitting, pursuant to law, the report on low-income housing and community development activities of the federal home loan bank system for 1994; to the Committee on Banking, Housing, and Urban Affairs.

EC-1484. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report on the credit advertising rules under the Truth in Lending Act; to the Committee on Banking, Housing, and Urban Affairs.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-319. A resolution adopted by the Western States Land Commissioners Associations relative to federal royalty collections; to the Committee on Energy and Natural Resources.

POM-320. A joint resolution adopted by the Legislature of the State of Alaska; to the Committee on Energy and Natural Resources:

##### "HOUSE JOINT RESOLUTION NO. 13

"Whereas in Sec. 1002 of the Alaska National Interest Lands Conservation Act (ANILCA), the United States Congress reserved the right to permit further oil and gas exploration, development, and production within the coastal plain of the Arctic National Wildlife Refuge, Alaska; and

"Whereas the oil industry, the state, and the United States Department of the Interior consider the coastal plain to have the highest potential for discovery of very large oil and gas accumulations on the continent of North America, estimated to be as much as 10,000,000,000 barrels of recoverable oil; and

"Whereas the residents of the North Slope Borough, within which the coastal plain is located, are supportive of development in the '1002 study area'; and

"Whereas oil and gas exploration and development of the coastal plain of the refuge and adjacent land could result in major discoveries that would reduce our nation's future need for imported oil, help balance the nation's trade deficit, and significantly increase the nation's security; and

"Whereas, for the first year ever, more than one-half of the oil used in the United States has come from foreign sources as domestic crude oil production fell to 6,600,000 barrels per day, its lowest annual level since 1954; and

"Whereas development of oil at Prudhoe Bay, Kuparuk, Endicott, Lisburne, and Milne Point has resulted in thousands of jobs throughout the United States and projected job creation as a result of coastal plain oil development will have a positive effect in all 50 states; and

"Whereas Prudhoe Bay production is declining by approximately 10 percent a year; and

"Whereas opening the coastal plain of the Arctic National Wildlife Refuge now allows sufficient time for planning environmental safeguards, development, and national security review; and

"Whereas the oil and gas industry and related Alaskan employment have been severely affected by reduced oil and gas activity, and the reduction in industry investment and employment has broad implications for the Alaskan work force and the entire state economy; and

"Whereas the 1,500,000-acre coastal plain of the refuge comprises only eight percent of the 19,000,000-acre refuge, and the development of the oil and gas reserves in the refuge's coastal plain would affect an area of only 5,000 to 7,000 acres, which is one and one-half percent of the area of the coastal plain; and

"Whereas 8,000,000 of the 19,000,000 acres of the refuge have already been set aside as wilderness; and

"Whereas the oil industry has shown at Prudhoe Bay, as well as at other locations along the Arctic coastal plain, that it can safely conduct oil and gas activity without adversely affecting the environment or wildlife populations; be it

*"Resolved by the Alaska State Legislature,* That the Congress of the United States is urged to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, Alaska, to oil and gas exploration, development, and production; and be it further

*"Resolved,* That that activity be conducted in a manner that protects the environment and uses the state's work force to the maximum extent possible."

POM-321. A resolution adopted by the Council of the City of West Branch, Michigan relative to waste; to the Committee on Environment and Public Works.

POM-322. A resolution adopted by the Council of the City of Warren, Ohio relative to traffic control devices; to the Committee on Environment and Public Works.

POM-323. A joint resolution adopted by the Legislature of the State of California; to the Committee on Environment and Public Works:

##### "JOINT RESOLUTION NO. 15

"Whereas, due to chronic failures of the sewage system that serves the City of Tijuana, in Baja California, Mexico, large amounts of untreated wastewater flow into the Tijuana River and its tributaries and across the international border into the San Diego area of this state; and

"Whereas, the flows of untreated wastewater often contain toxic contaminants because Mexico does not require the pretreatment of industrial waste and thus pose a threat to both public health and the ecosystems of the Tijuana River estuary and beaches located near the mouth of the river; and

"Whereas, to address those issues, in July, 1990, the federal government and the Mexican government signed Minute 283, calling for a conceptual plan for an international solution to the border sanitation problem in San Diego, California and Tijuana, Baja California; and

"Whereas, the two governments agreed in Minute 283 to the creation of an international wastewater treatment plant, to be constructed on the southwest bank of the Tijuana River on the United States side of the border, that will be capable of treating twenty-five million gallons of untreated wastewater per day and is to be funded and supervised by both the United States and Mexico, through the United States section of the International Boundary and Water Commission; Now, therefore, be it

*"Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to move with all deliberate speed, and take all necessary steps, to complete the construction of the International Wastewater Treatment Plant on the Tijuana River near San Diego as soon as possible; and be it further

*"Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the United States House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

POM-324. A joint resolution adopted by the Legislature of the State of Nevada; to the

Committee on Environment and Public Works.

“SENATE JOINT RESOLUTION NO. 23

“Whereas, in 1977, the Congress of the United States amended the Clean Air Act for the purpose of correcting and preventing the continued deterioration of visibility in large national parks and wilderness areas resulting from the pollution of the air; and

“Whereas, this amendment did not provide adequate resources to carry out its provisions and targeted only a few of the major types of sources of the pollution affecting visibility; and

“Whereas, as a result, the Federal Government and the individual states were extremely slow in developing an effective program to reduce air pollution in these areas; and

“Whereas, the two emission control programs specifically concerned with visibility in national parks and wilderness areas include the program for Prevention of Significant Deterioration of Air Quality, which is directed mainly at new sources of pollution and a program visibility protection which is primarily aimed at existing sources of pollution; and

“Whereas, the program for Prevention of Significant Deterioration of Air Quality requires that each new or enlarged “major emitting facility” locating near large national parks or wilderness areas install the “best available control technology,” establish increments (allowable increases) that limit cumulative increase in levels of pollution in clear air areas and to some extent, have protected visibility by reducing the growth of emissions that contribute to regional haze; and

“Whereas, in 1990, the United States General Accounting Office issued a report which discussed some of the shortcomings of the program for Prevention of Significant Deterioration of Air Quality; and

“Whereas, this report indicated that federal land managers had failed to meet their responsibilities because of a lack of allocated time, personnel and data, and because the United States Environmental Protection Agency had failed to forward applications for permits; and

“Whereas, the report indicated that many sources of air pollution in national parks and wilderness areas are exempt from the requirements of the program for Prevention of Significant Deterioration of Air Quality because they are considered minor sources or because they existed before the program for Prevention of Significant Deterioration of Air Quality took effect; and

“Whereas, the other program for visibility protection, established by the amendments to the Clean Air Act of 1977, directs states to establish measures to achieve “reasonable progress” toward the national visibility goal and to require the installation of the “best available retrofit technology” on large source contributing to air pollution at major national parks and wildlife areas; and

“Whereas, in 1980, the Environmental Protection Agency issued rules to control air pollution caused by visible plumes from nearby individual sources and express its intention to regulate regional haze to some future date “when improvement in monitoring techniques provides more data on source-specific levels of visibility impairment, regional scale-models become more refined, and scientific knowledge about the relationships between air pollutants and visibility improves”; and

“Whereas, to date, the Environmental Protection Agency has not proposed rules for the regulation of regional haze, but has required only regulation of air pollution that is attributable to individual sources through

the use of simple techniques, and in the past 14 years only one source of pollution has been required to control its emissions pursuant to this program; and

“Whereas, it is evident that the Environmental protection Agency has not been required to enforce the visibility provisions of the federal law and this failure should be addressed before any new legislation is passed which penalizes a regional area; and

“Whereas, in 1990, the Clean Air Act was once again amended to include numerous new statutes and amendments to existing statutes which called for more regulation of air quality for the purpose of providing continued and expanded efforts to improve air quality; and

“Whereas, the amendment added Section 169B which provided the mechanism for the Administrator of the Environmental Protection Agency to establish visibility transport regions and visibility transport commissions; and

“Whereas, that section specifically created The Grand Canyon Visibility Transport Commission which is required to prepare and submit to the Administrator of the Environmental protection Agency by November 15, 1995, a report recommending what measures, if any, should be taken pursuant to the Clean Air Act to address adverse impacts on visibility from potential or projected growth in emissions in the region; and

“Whereas, the report will also discuss the establishment of clean air corridors in which additional restrictions in emissions may be appropriate to protect visibility in affected areas, the imposition of the requirements of the program for Prevention of Significant Deterioration of Air Quality which affect the construction of new or modified major stationary sources in those clean air corridors, the alternative siting analysis provisions as provided in the Clean Air Act, the imposition of nonattainment status requirements within clean air corridors and the adoption of regulations to provide long-range strategies for addressing regional haze which impairs visibility in affected areas; and

“Whereas, a total of \$8,000,000 per year for 5 years was authorized for appropriation to the Environmental Protection Agency and other federal agencies to conduct research to identify and evaluate sources and source regions of air pollution as well as regions that provide predominantly clean air to national parks and wilderness areas, but it does not appear that the Environmental Protection Agency has requested or received such an appropriation; and

“Whereas, with the exception of minor federal funding, the Grand Canyon Visibility Transport Commission is an unfunded mandate, and to date, most of the work which has been done pursuant to the mandate is the result of efforts made by state governments, industries and conservation groups; and

“Whereas, for these reasons, the amendments to the Clean Air Act adopted in 1990, including Section 169B, have not been fully implemented and allowed sufficient time to produce their desired effect; and

“Whereas, certain scientific studies, assessments and inventories have shown that air quality in the Intermountain West Region continues to improve even though the amendments adopted in 1990 have not been fully implemented; and

“Whereas, the clean air corridor concept may result in a severe restraint on population growth and economic development in the western states, a result which was not intentional when Congress passed Section 169B of the Clean Air Act whereby the cleanest air in the nation, with the best visibility, may be managed by the Environmental Protection Agency as the dirtiest; and

“Whereas, the Nevada Legislature has grave concerns about the consequences of the recommendations which may be made by the Grand Canyon Visibility Transport Commission to the Administrator of the Environmental Protection Agency because of previously stated facts involving the federal regulation of visibility; Now, therefore, be it

“Resolved, by the Senate and Assembly of the State of Nevada, jointly, That Congress is hereby urged to refrain from adopting additional statutes and the Environmental Protection Agency is hereby urged to refrain from adopting additional regulations which regulate air quality and visibility until the amendments to the Clean Air Act adopted in 1990 and the regulations adopted thereunder have been fully implemented and allowed sufficient time to produce their intended results; and be it further

“Resolved, That as part of its oversight of the regulatory program, Congress is hereby urged to resist proposals such as clean air corridors, the imposition of nonattainment status requirements within clean air corridors and the imposition of no-build provisions within a transport region that are not equitable to all states; and be it further

“Resolved, That Congress is hereby urged to support proposals that are equitable, such as the uniform application of the existing provisions of the program for Prevention of Significant Deterioration of Air Quality in the Clean Air Act and the imposition or addition of more stringent controls on existing sources of air pollution and visibility impairment; and be it further

“Resolved, That the Environmental Protection Agency and any other federal agency that regulates air quality are hereby urged to base any future regulations related to air quality and visibility on clear scientific evidence which is reviewed and confirmed by others within the scientific community; and be it further

“Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives, each member of the Nevada Congressional Delegation and the Administrator of the Environmental Protection Agency; and be it further

“Resolved, That this resolution becomes effective upon passage and approval.”

POM-325. A joint resolution adopted by the Legislature of the State of Nevada; to the Committee on Environment and Public Works.

“SENATE JOINT RESOLUTION NO. 20

“Whereas, the present interstate highway system in the United States will be inadequate to meet the needs of local and interstate commerce in the 21st century; and

“Whereas, the Secretary of Transportation has submitted a proposal to Congress for the designation of the National Highway System; and

“Whereas, more than \$6.5 billion in federal funding for highways will not be allocated to the states unless the designation of the National Highway System is approved by Congress not later than September 30, 1995; and

“Whereas, the National Highway System will consist of a network of highways which are vitally important to the strategic defense policy of the United States; and

“Whereas, the National Highway System will reduce traffic congestion which presently costs travelers approximately \$1 billion each year in lost productivity in each of the nation's eight largest metropolitan areas; and

“Whereas, the National Highway System will connect important urban areas which

are not presently served by an interstate highway; and

"Whereas, the National Highway System will benefit consumers by reducing the cost of transporting goods within the United States; and

"Whereas, the National Highway System will include the entire 545 miles of the interstate highway system in Nevada; and

"Whereas, although only 4.7 percent of the highways in Nevada will be included in the National Highway System, those highways will account for approximately 66 percent of the motor vehicle traffic in Nevada; and

"Whereas, the National Highway System will improve access for visitors to such destinations as Lake Tahoe, Lake Mead and Jackpot, Nevada; Now, therefore, be it

*"Resolved by the Senate and Assembly of the State of Nevada, jointly,* That the Nevada Legislature hereby urges Congress to approve the designation of the National Highway System; and be it further

*"Resolved,* That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

*"Resolved,* That this resolution becomes effective upon passage and approval."

POM-326. A joint resolution adopted by the Legislature of the State of Nevada; to the Committee on Environment and Public Works.

#### "SENATE JOINT RESOLUTION NO. 22

"Whereas, in 1984, Congress enacted Public Law 98-381 which appropriated \$77,000,000, calculated at 1983 price levels, for a program to increase the generation capacity of the power plant at Hoover Dam and for a visitor facilities program to improve the parking, visitor facilities and roadways at Hoover Dam; and

"Whereas, although Public Law 98-381 does not specify the amount of the appropriation to be spent on the respective programs, the Senate Report of the Committee on Energy and Natural Resources (S. Rep. No. 98-137, 98th Congress, 1st Session (1983), at page 14) indicates that \$32,000,000 would be needed for the visitor facilities program; and

"Whereas, appropriations made for the visitor facilities program are to be repaid with interest when the program is substantially completed from revenue received from the sale of power at the Hoover Dam power plant; and

"Whereas, as of the end of the 1994 federal fiscal year, approximately \$120,000,000 has been expended on the visitor facilities program; and

"Whereas, as of May 1995, the visitor facilities program is not complete and additional money will be necessary to complete the program: Now, therefore, be it

*"Resolved, by the Senate and Assembly of the State of Nevada, jointly,* That the Nevada Legislature urges Congress to investigate the costs incurred for the visitor facilities program at Hoover Dam which are in addition to the amount originally appropriated by Congress for the program; and be it further

*"Resolved,* That the Nevada Legislature urges Congress to direct the Bureau of Reclamation of the United States Department of the Interior to develop alternative sources of funding to pay the costs incurred for the visitor facilities program at Hoover Dam which are in addition to the amount originally estimated for the program of \$32,000,000; and be it further

*"Resolved,* That the Secretary of the Senate of the State of Nevada prepare and transmit a copy of this resolution to the Vice

President of the United States as presiding officer of the United States Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

*"Resolved,* That this resolution becomes effective upon passage and approval."

POM-327. A concurrent resolution adopted by the Legislature of the State of Texas; to the Committee on Environment and Public Works.

#### "HOUSE CONCURRENT RESOLUTION

"Whereas, in 1991 the Congress of the United States established a 65-mile-per-hour speed limit on rural sections of interstate highways, recognizing recent advancements in road and automobile technology as well as the increased need for rapid road transportation in today's competitive global economy; and

"Whereas, current federal law continues, however, to restrict the ability of states to adopt this standard for divided four-lane highways of comparable design and quality; and

"Whereas, within the borders of Texas, most national and state highways traverse broad expanses of rural countryside and, with few intersections or potential traffic hazards, are ideally suited for higher speed travel than is currently permitted by federal law; and

"Whereas, higher speed limits are essential for promoting rapid ground travel in rural areas of Texas, many of which are not served by rail, air, or any other mode of transportation; moreover, the 55-mile-per-hour speed limit places a disproportionate burden on this state's rural residents, who often must travel great distances for work, shopping, medical care, and other basic necessities; and

"Whereas, responding to the special needs of rural communities, the Texas Legislature has enacted a statute that will raise the speed limit on divided four-lane highways as soon as federal law permits; and

"Whereas, the State of Texas can best determine maximum speed limits most appropriate to its unique geography, to its vast rural highway system, and to the needs of its citizens: Now, therefore, be it

*"Resolved,* That the 74th Legislature of the State of Texas hereby urge the Congress of the United States to allow states to establish a 65-mile-per-hour speed limit for rural sections of divided four-lane highways; and, be it further

*"Resolved,* That the Texas secretary of state forward official copies of this resolution to the United States secretary of transportation, to the speaker of the house of representatives and president of the senate of the United States Congress, and to all members of the Texas congressional delegation with the request that it be officially entered in the Congressional Record as a memorial to the Congress of the United States of America."

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. D'AMATO, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 1309. An original bill to reauthorize the tied aid credit program of the Export-Import Bank of the United States, and to allow the Export-Import Bank to conduct a demonstration project (Rept. No. 104-154).

By Mr. PRESSLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1048. A bill to authorize appropriations for fiscal year 1996 to the National Aeronautics and Space Administration for human space flight; science, aeronautics, and technology; mission support; and inspector general; and for other purposes (Rept. No. 104-155).

### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources:

Charles William Burton, of Texas, to be a Member of the Board of Directors of the United States Enrichment Corporation for the remainder of the term expiring February 24, 1996.

Derrick L. Forrister, of Tennessee, to be an Assistant Secretary of Energy (Congressional and Intergovernmental Affairs).

Eluid Levi Martinez, of New Mexico, to be Commissioner of Reclamation.

Patricia J. Beneke, of Iowa, to be an Assistant Secretary of the Interior.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BINGAMAN:

S. 1308. A bill to amend chapter 73 of title 31, United States Code, to provide for performance standards for block grant programs, and for other purposes; to the Committee on Governmental Affairs.

By Mr. D'AMATO:

S. 1309. An original bill to reauthorize the tied aid credit program of the Export-Import Bank of the United States, and to allow the Export-Import Bank to conduct a demonstration project; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Mr. KERRY:

S. 1310. A bill to amend the Internal Revenue Code of 1986 to expand the availability of individual retirement accounts, and for other purposes; to the Committee on Finance.

By Mr. CAMPBELL (for himself and Mr. BRADLEY):

S. 1311. A bill to establish a National Fitness and Sports Foundation to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BAUCUS:

S. 1312. A bill to amend the Internal Revenue Code of 1986 to assist in the financing of education expenses for the middle class; to the Committee on Finance.

By Mr. CAMPBELL:

S. 1313. A bill to amend the Internal Revenue Code of 1986 to permit Indian tribal governments to maintain section 401(k) plans for their employees; to the Committee on Finance.